IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 15966 of 2005

Between:

Voltohm Electronic Equipments (SSI Unit No.285/F1/82)

B-5, Electronic Complex, Industrial Estate, Kushaiguda,

Hyderabad, rep.by its Managing Partner

...PETITIONER

and

1. The Chief Engineer, Roads and Buildings

Department, Hyderabad and another

...RESPONDENTS

HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.15966 of 2005

ORDER:

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This writ petition is filed by the petitioner aggrieved by the action of the respondents in not disposing of the representation of the petitioner dated 07-07-2005 which was filed with reference to the proposed road divider in front of the petitioner's unit equally on both sides i.e., on the road passing through ECL 'X' Road to Kushaiguda at the point where the petitioner's unit is situated at Plot No.B-5, Electronic Complex, Industrial Estate, Kushaiguda, Hyderabad.

2. According to the petitioner, the respondent-authorities are proposing to lay a road divider on the road passing in front of the petitioner's industrial unit i.e., from ECL 'X' Road to Kushaiguda. The grievance of the petitioner is that the road divider as proposed is not dividing the road into two equal halves, but is dividing the road dissimilarly and unequally. Therefore, the petitioner made a representation to the respondents on 07-07-2005 requesting to correct the proposed division and to fix up the road divider without any deviation. As no action has been taken by the respondents, the petitioner has come up with the present writ petition.

3. This Court on an earlier occasion, while hearing the writ petition, directed the respondents to get instructions with reference to the allegations made by the petitioner. Today, when the matter came up for admission, again it is represented on behalf of the Government Pleader that the BT part of the road is being divided by fixing up a road divider dividing the road leaving 7 meters on either side of the road.

4. The learned counsel for the petitioner contended that the respondents are not taking the road margin portion also for the purpose of fixing up the road divider. If the road margin area is not taken into account, by subsequent expansion of the road width, the divider would be in a dissimilar position without dividing the road equally. Therefore, sought for a direction to the respondents to take into account even the road margin for the purpose of fixing the road divider.

5. The said contention of the petitioner is opposed by the learned Government

Pleader contending that only the BT part of the road alone is taken into account for fixing up the road divider as it is intended only to make it convenient to the road users and to avoid any accidents and the head on collisions.

6. Heard both sides and considered the material on record.

7. As it is represented by the learned Government Pleader that BT part of the road alone is being divided by fixing up a road divider dividing the road equally on either side, there cannot be any grievance. However, as the petitioner has already made a representation, the respondents are directed to dispose of the representation, if not already disposed of, and if any orders are already been passed on the representation of the petitioner, the same is directed to be communicated to the petitioner within one week from the date of receipt of a copy of this order.

8. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

26th July, 2005

SKM